

REMARKS

The amendments to claims 1 and 3 find support in the specification and claims as originally filed (see, for example, page 6, lines 22-27 and original claims 1-4). No new matter is added by way of the amendments.

Claims 1-6 and 9-11 are pending in this application. Applicants note with appreciation the allowance of claims 9-11 in the first Office Action. Claims 1-6 standing rejected under 37 U.S.C. § 112, first paragraph, applicants request reconsideration of claims 1-6 in view of the amendments and the following remarks.

The Rejections of Claims 1-6 under 35 U.S.C. § 112, first paragraph

Claims 1-6 were rejected under 35 U.S.C. § 112, first paragraph, the Examiner stating that the specification does not reasonably provide enablement for "species equivalents" or other mutations. In order to advance the prosecution of the claims towards allowance, without acquiescing with the Examiner's statement, and reserving the right to present claims to the canceled subject matter in continuation or divisional applications, applicants have amended claims 1 and 3 to remove mention of "species equivalents" or other mutations. Accordingly, applicants respectfully submit that the rejection to claims 1-6 under 35 U.S.C. § 112, first paragraph are overcome.

The Claim for Foreign Priority

Applicants note that acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f), but that the Office Action Summary indicates that none of the certified copies of the priority documents have been received.

However, the Office Action Summary mailed on January 8, 2003 in the Final Office Action for the parent case from which the present RCE application was filed indicated that certified copies of the priority documents had been received.

In addition, applicants received a Notice Informing the Applicant of the Communication of the International Application to the Designated Offices, mailed by the International Bureau of the PCT on August 7, 1997 and listing "US" as one of the

designated states, indicating that the priority documents were sent to the United States Patent and Trademark Office.

Copies of these two documents are included with this Amendment.

In view of the above, applicants believe that the required documentation in support of the claim for foreign priority has been provided to the U.S. Patent and Trademark Office, and request clarification as to the documents remaining to be provided in support of the claim for foreign priority in this case.

CONCLUSIONS

Applicants gratefully acknowledge the allowance of claims 9-11 and respectfully request the reconsideration and allowance of claims 1 and 3-6.

All claims pending in this application being believed to be in prima facie condition of allowance, an early action to that effect is respectfully solicited. Should the Examiner find that there are any further issues outstanding, she is respectfully invited to contact the undersigned attorney at the telephone number indicated below.

Please charge any fees, including any fees for extension of time, or credit overpayment to Deposit Account No. **08-1641** referencing Attorney's Docket No. **39754-0611 1CP1CP**.

Respectfully submitted,

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